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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/721,321	11/26/2003	Yang Hwan No	0465-1090P	8388
2292 7590 06/18/2007 BIRCH STEWART KOLASCH & BIRCH PO BOX 747 FALLS CHURCH, VA 22040-0747				
			EXAMINER RIGGLEMAN, JASON PAUL	
			ART UNIT 1746	PAPER NUMBER
			NOTIFICATION DATE 06/18/2007	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary

Application No.

10/721,321

Applicant(s)

NO ET AL.

Examiner

Jason P. Riggleman

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 March 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 March 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. Applicant's amendments, filed 3/27/2007 have been received. Current pending claims are claims 1-13. Claims 1 and 4-7 are currently amended. Claims 2-3 and 8-9 are original. Claims 10-13 are new.

Claim Rejections - 35 USC § 102

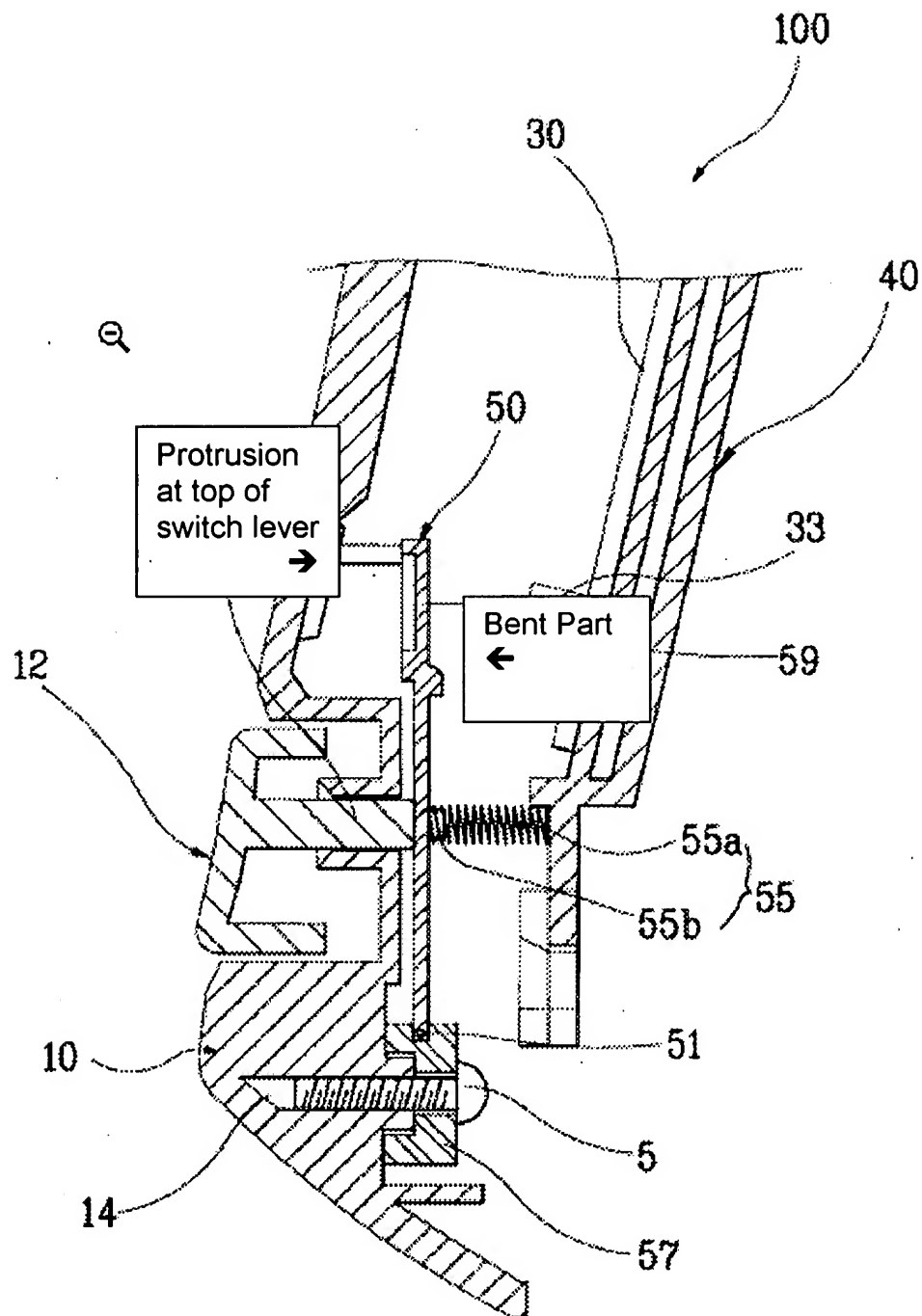
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-3, 6-8, 10-11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (Korean Patent Application Publication KR 2002058542).

3. Kim teaches a control panel 10 of a washing machine (see English abstract). A display panel has openings where buttons 12 are located. A display substrate 40 in rear of the display panel has at least one switch 33 formed thereon. The switch lever 50 has one end fixed to a backside of the display panel and the other end disposed over the switch, the other end of the switch lever (directly above the switch) directly presses the switch when an external force is applied to the button, Figs. 3a-3b. A lever loading part (rotation fixing part 51) is formed on the backside of the display panel and the switch lever is coupled with the lever loading part. A coupling recess (hole) is formed at the lever loading part and a protrusion (pin) is inserted in the coupling recess formed at the switch lever. An elastic part (elastic recovery element 55) is behind the display panel to provide a restoring force for the switch lever to return to an original state when the external force applied to the button is released. A button protrusion is formed at a

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bottom 12a of the button 12 to be brought into contact with the switch lever 50. A bent part is formed at one end of the switch lever 50, Fig. 3b. The button is free of contact with the display substrate when an external force is applied to the button. A protrusion is formed at a top of the switch lever to be brought into contact with the switch lever once the external force is applied to the button (See drawing below).



4. Claims 1-6, 8, 10-11, and 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Kim (Korean Patent Application Publication KR 2002042236).

5. Kim teaches a control panel 21 of a washing machine (see English abstract). A display panel has openings where buttons 25 are located. A display substrate 22 in rear of the display panel 24 has at least one switch 26 formed thereon. The switch lever 27 has one end fixed to a backside of the display panel and the other end disposed over the switch, the other end of the switch lever (directly above the switch) directly presses the switch when an external force is applied to the button, Figs. 4a-4b. A lever loading part is formed on the backside of the display panel and the switch lever is coupled with the lever loading part. A coupling recess (notch) is formed at the lever loading part and a protrusion (flange) is inserted in the coupling recess formed at the switch lever, Fig. 4b. A substantially U-shaped elastic part (27a) is attached in the back of the display panel to provide a restoring force for the switch lever to return to an original state when the external force applied to the button is released. A button protrusion is formed at a bottom 25a of the button 25 to be brought into contact with the switch lever 27. A bent part is formed at one end of the switch lever 27, Fig. 4b. The button is free of contact with the display substrate when an external force is applied to the button.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claim 9 is rejected under 35 U.S.C. 103(a) as being obvious over Kim (Korean Patent Application Publication KR 2002058542), as applied to claims 1 and 8 above.

8. In regards to claim 9, Kim does not teach a reinforcing rib at the bent part for rigidity reinforcement; however, it has been held that an obvious choice in design is unpatentable (*In re Kuhle* 188 USPQ 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kim to create a rib reinforced bent part which is durable.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being obvious over Kim (Korean Patent Application Publication KR 2002058542), as applied to claim 1.

10. In regards to claim 12, Kim does not teach that the button is spaced apart from the switch lever when the external force is applied to the button stops; however, it has been held that an obvious choice in design is unpatentable (*In re Kuhle* 188 USPQ 7). It would have been obvious to one of ordinary skill in the art at the time of the invention to modify Kim to create a button which retracts away from the lever to create a long-lasting control panel button assembly with minimum static tension.

Response to Amendment

11. The objections to the drawings and specification (abstract) are withdrawn in view of the applicant's amendments filed 3/27/2007.

Response to Arguments

12. Applicant's arguments with respect to claims 1-9 have been considered but are moot in view of the new ground(s) of rejection. In view of the applicant's amendments, the provisional double patenting rejection of claim 1 and 112, second paragraph, rejection of claims 5-7 are withdrawn. Also, the 102 (b) rejection of claims 1-4 and 6-8 over Fujiyama are withdrawn in view of the amendments. The 103 (a) rejection of claim

5 over Fujiyama in view of Chapin et al. is withdrawn in view of the amendments. The 103 (a) rejection of claim 9 over Fujiyama is withdrawn in view of the amendments.

Conclusion

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason P. Riggleman whose telephone number is 571-272-5935. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Barr can be reached on 571-272-1414. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jason P Riggleman
Examiner
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JPR



ALEXANDER MARKOFF
PRIMARY EXAMINER